

MARTIN A. MUCKLEROY, ESQ.
Nevada Bar No. 009634
MUCKLEROY LUNT, LLC
6077 S. Fort Apache, Ste 140
Las Vegas, NV 89148
Phone: (702) 907-0097
Direct: (702) 534-6272
Fax: (702) 938-4065
martin@muckleroylunt.com

Liaison Counsel for Plaintiffs

(Additional Counsel on Signature Page)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

IN RE ALLEGIANT TRAVEL CO.
STOCKHOLDER DERIVATIVE
LITIGATION

Master File No.: 2:18-cv-01864

**JOINT STATUS REPORT AND
SCHEDULE**

WHEREAS, on July 20, 2018, Charles Blackburn filed a verified shareholder derivative complaint in the United States District Court for the Central District of California, *Blackburn v. Maurice J. Gallagher, Jr., et al.*, Case No. 2:18-cv-06296-GW-SSx ("*Blackburn*"), and which was transferred to this Court on October 10, 2018;

WHEREAS, on September 26, 2018, Mark Fullenkamp filed a verified shareholder derivative complaint in this Court, *Fullenkamp v. Maurice J. Gallagher, Jr.*, Case No. 2:18-cv-01864-APG-DJA ("*Fullenkamp*");

WHEREAS, on January 8, 2019, *Blackburn* and *Fullenkamp* were consolidated as *In re Allegiant Travel Co. Stockholder derivative Litigation*, Case No. 2:18-cv-01864-APG-DJA (the "Consolidated Derivative Action");

WHEREAS, on April 8, 2019, the Plaintiffs in the Consolidated Derivative Action filed a Verified Consolidated Stockholder Derivative Complaint;

1 WHEREAS, on May 13, 2019, the Court ordered that the Consolidated Derivative Action
2 be stayed until the Court issued a decision on the motion to dismiss in *Checkman v. Allegiant*
3 *Travel Co., et al.*, Case No. 1:28-cv-01758-APG-PAL (the “Securities Class Action”);

4 WHEREAS, by order entered September 9, 2019, the Court granted in part and denied in
5 part the motion to dismiss in the Securities Class Action, at which time the stay in this action was
6 lifted;

7 WHEREAS, the Parties have met and conferred concerning Plaintiffs’ intent to file an
8 Amended Verified Consolidated Stockholder Derivative Complaint; and

9 WHEREAS, the Parties have agreed to a schedule for Plaintiff’s to file such a complaint
10 and for briefing on Defendants’ anticipated motion to dismiss;

11 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by the parties,
12 through their undersigned counsel and subject to the approval of the Court:

13 1. Plaintiffs shall file and serve any Amended Verified Consolidated Stockholder
14 Derivative Complaint within thirty days after entry of this scheduling order;

15 2. Defendants shall have thirty days from service of the Amended Verified
16 Consolidated Stockholder Derivative Complaint to respond;

17 3. In the event Defendants move to dismiss the Amended Verified Consolidated
18 Stockholder Derivative Complaint, Plaintiffs shall have thirty days to file and serve their
19 opposition papers; and Defendants shall have thirty days to file and serve any reply memorandum.

20 **IT IS SO STIPULATED**
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1 DATED: February 5, 2020

Respectfully submitted,

2 /s/ Martin A. Muckleroy
3 MARTIN A. MUCKLERoy, ESQ.
4 Nevada Bar No. 009634
5 **MUCKLERoy LUNT, LLC**
6 6077 S. Fort Apache, Ste. 140
7 Las Vegas, NV 89148
8 Telephone: (702) 907-0097
9 Facsimile: (702) 938-4065
10 Email: martin@muckleroylunt.com

Liaison Counsel for Plaintiffs

9 DAVID J. STONE, ESQ.
10 **BRAGAR EAGEL & SQUIRE, P.C.**
11 885 Third Avenue, Suite 3040
12 New York, NY 10022
13 Telephone: 212-308-5858
14 Facsimile: 212-486-0462
15 Email: stone@bespc.com

14 MELISSA FORTUNATO, ESQ.
15 **BRAGAR EAGEL & SQUIRE, P.C.**
16 101 California Street, Suite 2710
17 San Francisco, CA 94111
18 Telephone: (415) 365-7140
19 Email: mfortunato@bespc.com

18 MATTHEW M. HOUSTON, ESQ.
19 BENJAMIN I. SACHS-MICHAELS, ESQ.
20 **GLANCY PRONGAY & MURRAY LLP**
21 712 Fifth Avenue
22 New York, New York 10019
23 Telephone: (212) 935-7400
24 E-mail: mhouston@glancylaw.com
25 bsachsmichaels@glancylaw.com

23 ROBERT V. PRONGAY, ESQ.
24 LESLEY F. PORTNOY, ESQ.
25 **GLANCY PRONGAY & MURRAY LLP**
26 1925 Century Park East, Suite 2100
27 Los Angeles, California 90067
28 Telephone: (310) 201-9150
Facsimile: (310) 210-9160

E-mail: rprongay@glancylaw.com
lportnoy@glancylaw.com

Co-Lead Counsel for Plaintiffs

GREENBERG TRAURIG LLP

By /s/ Jacob D. Bundick

MARK F. FERRARIO, ESQ
Nevada Bar No. 1625
JACOB D. BUNDICK, ESQ
Nevada Bar No. 9772
10845 Griffith Peak Drive, Suite 600
Las Vegas, NV 89135

DANIEL J. TYUKODY, ESQ.
Admitted Pro Hac Vice
GREENBERG TRAURIG LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067

Counsel for Defendants

IT IS SO ORDERED this 7th day of February, 2020.



Daniel J. Albregis
United States Magistrate Judge

ATTESTATION OF COUNSEL

I, Martin L. Muckleroy, am the CM/ECF user whose ID and password are being used to file this Joint Status Report and [Proposed] Order. Pursuant to Local Civil Rule 5-1(i)(3), I hereby attest that Jacob D. Bundick, on whose behalf this filing is jointly submitted, has concurred in this filing.

By
/s/ Martin A. Muckleroy
Martin A. Muckleroy